

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JENNIFER DARMINIO,
Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC.; EQUIFAX INFORMATION
SERVICES, LLC; and AMERICAN
EXPRESS,
Defendants.
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ORDER

22 CV 9434 (VB)

On January 25, 2023, plaintiff filed a motion to substitute Daniel A. Schlanger, Esq., as her counsel in this action, in place of her original counsel, Brent F. Vullings, Esq. (Doc. #20). On January 27, 2023, the Court granted plaintiff's motion, and directed the Clerk to (i) add Mr. Schlanger as plaintiff's counsel of record, and (ii) to terminate Mr. Vullings as plaintiff's counsel of record. (Doc. #23).

On January 27, 2023, Mr. Vullings filed a motion for a charging lien in this action, in the amount of \$8,582.00, pursuant to N.Y. Judiciary Law § 475. (Doc. #24). On February 24, 2023, plaintiff opposed the motion, requesting that it be denied in its entirety, or, in the alternative, that a charging lien be granted in the amount of \$3,000. (Doc. #32). On March 2, 2023, Mr. Vullings filed a reply. (Doc. #34).

Upon due consideration of the papers submitted for and against the motion, and in particular in light of Mr. Schlanger's acknowledgement that a charging lien attaches to this case, Mr. Vullings's motion for a charging lien is GRANTED. Therefore, an attorney charging lien in favor of Mr. Vullings is imposed against any verdict, determination, decision, award, judgment, final order, or settlement in plaintiff's favor, in an amount to be determined at a later date. Upon any such resolution in plaintiff's favor, Messrs. Vullings and Schlanger are ordered to make good faith efforts to resolve any dispute about the amount of the charging lien. In the unlikely event that such dispute cannot be resolved by agreement, Mr. Vullings may petition the Court to enforce the lien.

The Clerk is instructed to terminate the motion. (Doc. #24).

Dated: March 24, 2023
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge

